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63
61. The composition of claim 60 wherein the lipophilic amino acid the  $A_1$  and  $A_2$  groups are alkyl groups having from about 12 to about 22 carbon atoms.
62. A lipid aggregate comprising a polycationic polysaccharide of claim 51.
63. A method for transfecting a cell which comprises the step of contacting the composition of claim 60 with a cell.
- A3  
Cord
64. A transfection kit which comprises one or more polycationic polysaccharides of claim 51.--

#### REMARKS

This response adds new claims 31-64. New claims 31-33 depend from claim 11. The new claims are fully supported in the specification, particularly at pages 19-22 and page 25.

The specification has been amended at pages 4 and 5 to correct a typographic error in the chemical formulas on those pages. Lines connecting  $CH_3$  groups and R groups to the rest of the formula were inadvertently omitted.

The specification has also been amended at page 20 to refer to  $Z_1$  and  $Z_2$  in the formula on page 19 rather than to Z.

The specification has been further amended at page 22 to switch the definitions of the A and R variables which refer to Formula IX. The switch in variable usage is made for consistency of variable usage between Formula VIII and IX. The A variables ( $A_1$  and  $A_2$ ) were used in Formula VIII to refer to the X substituents, however, in the text as filed for Formula IX, the R variables (R1 and R2) were used to refer to X substituents. Applicants believe that switching the definitions of the A and R variables in the definitions of Formula IX will lead to better clarity and reduce confusion between claims directed to the compounds of Formula VIII and Formula IX.

### Restriction Requirement

The Examiner has required restriction between the claims of Group I and Group II. Group I claims (claims 1-10 and 23-30) are characterized as directed to R-A-Z type compounds, while the compounds of Group II claims (claims 11-22) are characterized as R-Z type compounds. Applicant elects prosecution of the claims of Group II (claims 11-22) with traverse.

The claims of Group I and Group II are classified into the same Class (514) and subclass (44) indicating that there is an art-recognized relationship among the claims of the two groups. Further, the compounds of Groups I and II share similar function and common structural features. In view of the relatedness of the compounds of the two groups, a search of both groups of claims does not represent an undue search burden upon the Office.

Applicants believe that the new claims should be characterized as members of Group II, the elected group. New claims 31-35 depend from claim 11 and are clearly members of Group II. Claims 36-50 are directed to compounds (and compositions as well as kits comprising the compounds and methods using the compounds) that can be characterized as having the R-Z structure (where R is A), specifically, where the compounds have Formula VIII. The  $Z_1$  and  $Z_2$  groups in these claims are certain amino acids, and are similar in structure to a subset of the compounds of claim 11.

The compounds of claims 51-64 have an A-Z-R structure, but in which two substituents are attached to the Z moiety. In this case, Z is a monosaccharide, with similarity to a subset of the compounds of claim 11. The compounds of these claims are more related to the compounds characterized by the Examiner as R-Z type compounds because they are substituted Z based compounds.

Because of the similarities in structures among the new claims and claim 11, Applicants submit that all of Claims 11-22, 31-35 as well as claims 36-50 and 51-64 should be considered in the same application.

Conclusion

This amendment adds 34 claims of which two are independent. No claims have been canceled. It is believed that \$768 in fees is due for addition of new claims. A Petition for Extension of Time of 3 months and fee of \$870 accompanies this amendment. A check in the amount of \$1,638 is included to cover claims and extension fees. If this amount is incorrect, please credit any overpayment or deduct any deficiency from deposit account 07-1969.

Respectfully submitted,

  
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